

AMENDMENTS TO THE DRAWINGS:

Fig. 2 has been amended. A marked copy of Fig. 2 is enclosed. An entire set of replacement drawings is being forwarded for the convenience of the Examiner.

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REMARKS

The title has been amended as required by the Examiner. The specification has been amended to correct minor clerical errors.

The claims have been amended to address the rejection under 35 USC 101, and to better conform to US practice.

The drawings have been amended as required by the Examiner.

Turning to the art rejections, the Examiner has rejected claims 1, 2, 3, 8-10 and 15-17 as anticipated by Kobayashi et al.; claims 4, 5, 11, 12, 18 and 19 as obvious from Kobayashi et al. in view of Tounai et al.; and claims 6, 7, 13, 14 and 20 as obvious from Kobayashi et al. in view of Magoshi et al.

Enclosed herewith is a Declaration under 37 CFR 1.131 which establishes that the Applicant completed the claimed invention before the US filing date of the Kobayashi et al. reference. In this regard, Applicant notes that the Kobayashi et al. patent, which issued after the filing date of the subject application, has a March 12, 2003 US filing date. Since this application was filed on or about January 1, 1996, pursuant to Section 531(b) of Public Law 10-465, the amendment made to 35 USC § 104 is applicable in this case. Accordingly, Applicant's Declaration under 37 CFR 1.131 which clearly shows completion of the claimed invention in a WTO member country, i.e. Japan, prior to the March 12, 2003 US filing date of the Kobayashi et al. patent, removes the Kobayashi et al. patent as citable prior art under 35 USC §1102/103. Accordingly, the rejection of the claims as anticipated by Kobayashi et al., or as obvious from Kobayashi et al. in view of Tounai et al. or Kobayashi et al. in view of Magoshi et al. cannot be maintained.

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Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action is respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,




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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

October 11, 2007, at Tucson, Arizona.

By



NPS:ps

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FIG.2

